

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

THE DEPARTMENT OF THE TREASURY
OF THE STATE OF NEW JERSEY AND ITS
DIVISION OF INVESTMENT, on behalf of
itself and all others similarly situated,

Plaintiff,

v.

CLIFFS NATURAL RESOURCES INC.,
JOSEPH CARRABBA, LAURIE BRLAS,
TERRY PARADIE, and DAVID B. BLAKE,

Defendants.

Civ. A. No. 14-CV-1031-DAP

Judge Dan Aaron Polster

Magistrate Judge Greg White

PARTIES' SUBMISSION ON SCHEDULING

1. The parties have been unable to agree on discovery scheduling dates, with limited exceptions. Their respective proposals on events and dates follow:

Event	Lead Plaintiff's Proposed Date	Defendants' Proposed Date
PERIOD FOR FACT DISCOVERY BEGINS	November 17, 2015	November 17, 2015
Demands for production of documents, and other fact discovery requests, may be served starting	November 17, 2015	November 17, 2015
Producing party to propose custodians, search terms, and shared stores for electronically stored information (ESI)	December 4, 2015	n/a
Propounding party to respond to producing party's proposal and conduct meet-and-confer regarding ESI disputes, including search terms	December 9, 2015	n/a
Reach agreement on ESI search terms or submit disputes to the Court	December 17, 2015	n/a

Event	Lead Plaintiff's Proposed Date	Defendants' Proposed Date
Rolling production of documents to commence	January 8, 2016 ¹	January 8, 2016
Status conference on discovery	Approximately February 15, 2016, at the Court's convenience	Approximately June 1, 2016, at the Court's convenience
Target for substantial completion of document production	March 15, 2016	September 15, 2016
Disclosure of expected subject matters of expert opinion	March 15, 2016	same date as completion of fact discovery
COMPLETION OF FACT DISCOVERY ²	July 29, 2016	6 months after targeted completion of document production: March 15, 2017
PERIOD FOR EXPERT DISCLOSURE/DISCOVERY BEGINS	August 5, 2016	same date as completion of fact discovery: March 15, 2017
Plaintiff's expert disclosures and reports due	August 5, 2016	7 days after close of fact discovery
Defendants' expert disclosures and reports	September 2, 2016	45 days after plaintiff's expert disclosures
Plaintiff's expert disclosures and reports solely for rebuttal purposes	October 1, 2016	30 days after defendants' expert disclosures
COMPLETION OF EXPERT DISCOVERY	October 1, 2016	30 days after plaintiff's rebuttal disclosures

2. The parties recommend that the case be assigned to the Complex track.

¹ Lead Plaintiff proposes that Privilege logs be produced within seven days following each production of documents.

² All discovery to be served sufficiently in advance of the fact discovery cutoff that it can be completed by the cutoff date.

3. The parties have agreed that each side may take 20 depositions and serve 50 interrogatories.

4. When plaintiff moves for class certification, the parties will meet and confer on scheduling of any briefing and expert discovery associated with class certification.

Dated: November 16, 2015

Respectfully Submitted,

s/ Scott D. Simpkins

John R. Climaco (0011456)

Scott D. Simpkins (0066775)

CLIMACO WILCOX PECA TARANTINO
& GAROFOLI CO., LPA

55 Public Square, Suite 1950

Cleveland, Ohio 44113

Telephone: (216) 621-8484

Facsimile: (216) 771-1632

jrclim@climacolaw.com

sdsimp@climacolaw.com

*Local Counsel for Lead Plaintiff, the
Department of the Treasury of the State of
New Jersey and its Division of Investment*

Michael B. Himmel
Michael T.G. Long
Jamie R. Gottlieb
Joseph A. Fischetti
Brandon M. Fierro
LOWENSTEIN SANDLER LLP
65 Livingston Avenue
Roseland, New Jersey 07068
Telephone: (973) 597-2500
Facsimile: (973) 597-2400
mhimmel@lowenstein.com
mlong@lowenstein.com
jgottlieb@lowenstein.com
jfischetti@lowenstein.com
bfierro@lowenstein.com

Max W. Berger
James A. Harrod
Jeremy P. Robinson
Rebecca E. Boon
Adam D. Hollander
BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP
1285 Avenue of the Americas
New York, New York 10019
Telephone: (212) 554-1400
Facsimile: (212) 554-1444
MWB@blbglaw.com
jim.harrod@blbglaw.com
jeremy@blbglaw.com
rebecca.boon@blbglaw.com
adam.hollander@blbglaw.com

*Counsel for Lead Plaintiff, the Department
of the Treasury of the State of New Jersey
and its Division of Investment, and Lead
Counsel for the Class*

s/ John M. Newman, Jr.

John M. Newman, Jr. (0005763)

Geoffrey J. Ritts (0062603)

Adrienne Ferraro Mueller (0076332)

JONES DAY

North Point

901 Lakeside Avenue

Cleveland, OH 44114-1190

Telephone: (216) 586-3939

Facsimile: (216) 579-0212

jmnewman@jonesday.com

gjriffs@jonesday.com

afmueller@jonesday.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 16, 2015, a copy of the foregoing Report of Parties' Planning Meeting under Fed. R. Civ. P. 26(f) and L.R. 16.3(b) was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

s/ Scott D. Simpkins
Scott D. Simpkins (0066775)
CLIMACO WILCOX PECA TARANTINO
& GAROFOLI CO., LPA
55 Public Square, Suite 1950
Cleveland, Ohio 44113
Telephone: (216) 621-8484
Facsimile: (216) 771-1632
sdsimp@climacolaw.com